



Comhairle Cathrach
& Contae Luimnígh

Limerick City
& County Council

Limerick City and County Council

Planning Department

Section 5 Application

Limerick City & County Council
RECEIVED

26 NOV 2024

Customer Services Post
Dooradoyle

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name:

OWEN TARRANT

Applicant's Address:

17 SULLANE CRES

RAHEEN

U94 RK7K

Telephone No.

[REDACTED]

Name of Agent (if any):

[REDACTED]

Address:

[REDACTED]

Telephone No.

[REDACTED]

Address for Correspondence:

17 Sullane Crescent

Raheen Limerick

U94 RK7K

Limerick City & County Council
28 NOV 2024

Planning

Limerick City & County Council

19 FEB 2025

Planning

Location of Proposed development (Please include Eircode):

V94 RK7K - garage

Description of Proposed development:

Conversion of garage to
functional room
garage is already part of internal
property.

Section of Exempted Development Regulations and/or section of the Act
under which exemption is claimed:

Is this a Protected Structure or within the curtilage of a Protected Structure.
YES/NO

Applicant's interest in site:

List of plans, drawings, etc. submitted with this application:

Drawing can be sent on request
garage size same

Have any previous extensions/structures been erected at this location YES/NO

If Yes please provide floor areas of all existing structures:

Signature of Applicant (or Agent)

Over Seven

NOTES: Application must be accompanied by:

- (a) Fee of €80
- (b) Site location map
- (c) Site layout plan
- (d) Dimensioned plans and elevations of the structure and any existing structures.
- (e) Where the declaration is in respect of a farm building, a layout identifying the use of each existing building together with floor area of each building.

Application to be forwarded to:

**Planning Department,
Limerick City & County Council,
Dooradoyle,
Limerick,
V94 XF67**

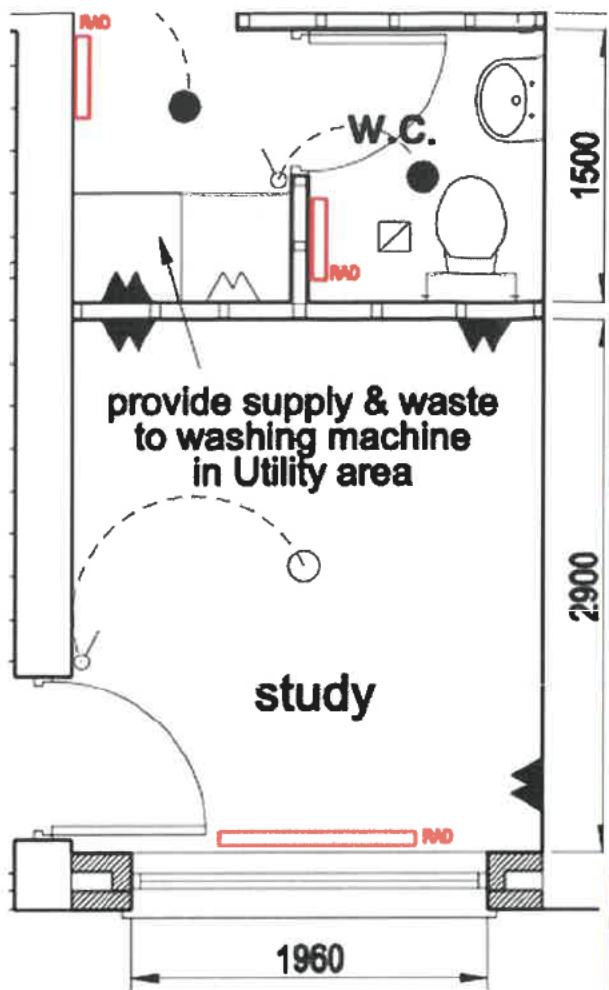
OFFICE USE ONLY

Ref. No. _____

Date Received

Fee Received

Date Due _____



ORIGINAL NOTES:

- A. DRAWINGS TO BE READ IN CONJUNCTION WITH ALL RELATED PRINTED MATERIAL, DRAWINGS, SPECIFICATIONS AND INFORMATION CONTAINED IN THE BIDDING DOCUMENTS.
- B. THE BIDDING DOCUMENTS ARE TO BE READ IN CONJUNCTION WITH ALL RELATED DRAWINGS, STRUCTURAL SPECIFICATIONS AND INFORMATION CONTAINED IN THE BIDDING DOCUMENTS.
- C. ALL DRAWINGS ARE IN MILLIMETERS OR NOT SCALE PAPER FROM THE DRAWING LINE FURNISHED.
- D. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND GRIDS BEFORE BUYING DUE TO THE POSSIBILITY OF INACCURACIES IN THE DRAWINGS.
- E. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- F. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- G. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- H. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- I. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- J. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- K. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- L. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- M. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- N. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- O. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- P. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- Q. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- R. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- S. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- T. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- U. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- V. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- W. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- X. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- Y. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.
- Z. NO DRAWING IS TO BE CONSIDERED AS A CONTRACTUAL DRAWING UNTIL APPROVED IN WRITING BY THE CONTRACTOR.

GROUND FLOOR PLAN FLOOR AREA - 67 SQ.M

1180

1487 1965 2100 1500 2400 2400 1500 1500 1050 1050 1500 2600 2900 1950 1950 1478 1950

break out ope and fit new 1500 wide X 1050 high window

100mm pipe with fan to v

connect existing

new 100 x 50 timber stud partitions slabbed and skimmed

raise floor level to match house with 25mm t & g flooring on 225 x 25 joists @ 400 c/c 150mm kingspan insulation between joists

fit new 3 door patio door 2400 wide X 2100 high

increase one width and fit castin / precast concrete lintols

2 no. 203 x 133 UB30

demolish walls dotted red make good to ceilings

relocate door ope

FIT NEW STOVE

W.C.

1300

900

1500

1050

2900

1950

1478

1950

1180

1487

1965

2100

1500

2400

2400

1500

1500

1050

1050

1500

2600

2900

1950

1950

1478

1950

living / dining room

kitchen

pantry

W.C.

study

hall

livingroom

North

All windows are triple glazed
tilt & turn pvc
style in selected colour

GROUND FLOOR PLAN FLOOR AREA - 67 SQ.M

Diagram of a window with dimensions 1478 and 1950. A callout line points to the window frame with the text: "All windows are triple tilt & turn pvc style in selected colors".

NOEL KERLEY ARCHITECTS	
6 THE CRESCENT, LIMERICK	
CLIENT: Owen Tarrant & Anne Waters	
PROGRAM:	
17 Sullane Crescent, Rakeen	
FLOOR AREA- 44 SQ.M	
	
Tel : +353 (0) 61 214601	fax : 27 05 2024
e-mail : noel@rka.ie	Date : 1:50
	Drawn : NK
	Construction : Foon Plans
	Ref. : Drawing No: 24.05.526002

8

111

10

1

114



555800 mE, 653750 mN

Folio: LK32227F

This map should be read in conjunction with the folio.

Tailte Éireann TÉ Registration mapping is based on TÉ Surveying mapping. Where TÉ Registration maps are printed at a scale that is larger than the TÉ Surveying scale, accuracy is limited to that of the TÉ Surveying map scale.

For details of the terms of use and limitations of scale, accuracy and other conditions relating to TÉ Registration maps, see www.tailte.ie.

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(centre-line of parcel(s) edged)

Freehold

Leasehold

Subleasehold

Burdens (may not all be represented on map)

Right of Way / Wayleave

Turbary

Pipeline

Well

Pump

Septic Tank

Septic Pit

A full list of burden's and their symbology can be found at: www.landdirect.ie

Tailte Éireann Registration operates a non-conclusive boundary system. The TÉ Registration map identifies properties not boundaries meaning neither the description of land in a folio nor its identification by reference to a TÉ Registration map is conclusive as to the boundaries or extent (see Section 85 of the Registration of Title Act, 1969). As inserted by Section 62 of the Registration of Deed and Title Act 2006.

555480 mE, 653490 mN

Application Number: D070721 D149077D

1:1000 Scale (A)



555800 mE. 653750 mN

Folio: LK32227F

This map should be read in conjunction with the folio.

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This map incorporates TÉ Surveying map data under licence from TÉ. Copyright © Talte Éireann and Government of Ireland.

(contours of parcel(s) edged)

Freehold

Leasehold

SubLeasehold

Burdens (may not all be represented on map)

Right of Way / Wayleave

Turbine

Pipeline

Well

Pump

Septic Tank

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555480 mE. 653490 mN
Folio Number: LK32227F

Annexation Number: 090921 04900770

1-1000 Scale

COMHAIRLE
CATHRACH & CONTAE
Luimních
Limerick
CITY & COUNTY
COUNCIL

LIMERICK CITY & COUNTY COUNCIL
CIVIC OFFICES
MERCHANTS QUAY
LIMERICK

22/11/2024 14:46:46

Receipt No./
Uimhir Admhála : RC6/0/2077456
***** REPRINT *****

Owen Tarrant
17 Sullane Crescent
Raheen
Limerick
V94RK7K

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total/Iomlán : 80.00 EUR

Tendered/Taingthe :	80.00
Credit / Debit Card	
VISA	

Change/Sóinseáil : 0.00

Issued By/
Eisithe ag : Rebecca Casey
From/Ó : REVENUE CASH OFFICE 6 - MER
Vat reg No./Cláruimhir CBL: 3267368TH

Report on application under Section 5 of the Planning and Development Act 2000 (as amended)

Reference no. EC/021/25

Name and Address of Applicant:
Owen Tarrant
17 Sullane Crescent
Raheen
V94 RK7K

Agent: N/A

Location: 17 Sullane Crescent
Raheen
V94 RK7K

Description of Site and Surroundings:

The subject site is located at No. 17 Sullane Crescent, Raheen. The dwelling is semi-detached with an existing garage to the side.

Zoning:

Existing Residential

Proposal:

This is an application requesting a Section 5 Declaration on whether the following works are or are not development or are or not exempted development:

- Conversion of an existing garage to a living space
- the replacement of an existing garage door with a new window.

This Section 5 declaration includes the following:

- Site location map
- Floor Plans

Planning History:

None

Enforcement History

None

An Bord Pleanála Case files

N/A

Assessment

The proposed works consisting of the conversion of a garage and alterations to the dwelling are considered to be 'development' as per Section 3 of the Planning and Development Act 2000, as amended.

It is noted that further to the conversion of existing garage to a living space and replacement of garage door with a new window, the applicant is also carrying out external works to the rear elevation which consist of

- Block up existing first floor window ope to rear elevation

- Increase size of 2 no. ground floor oves and replace with a new 3 door patio door and a larger window

I note that the applicant has failed to submit existing and proposed elevation drawings and a site layout drawing which are a requirement as part of a Section 5 application. These were requested via email on the 25th February 2025 but have not been received to date. As a result, I am not in a position to appropriately assess whether the said works are exempted development under Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations or section 4(1)(h) of the Planning and Development Act 2000 (as amended).

Article 9 Restrictions

The proposed development is not restricted by any of the restrictions in Article 9 of the Planning and Development Regulations 2001 (as amended).

Appropriate Assessment

An AA Screening examination was carried out by Limerick City & County Council (see appendix 1). Overall it is considered that the development as proposed should not exercise a significant effect on the conservation status of any SAC or SPA as there are no source-pathway-receptors and the site does not directly encroach on any Natura 2000 European Sites. Therefore, an Appropriate Assessment is not required in this instance.

Environmental Impact Assessment

An EIA Screening examination was carried out by Limerick City & County Council (see appendix 2). Overall, it is considered that there is no real likelihood of significant effects on the environment. Therefore, an Environmental Impact Assessment is not required.

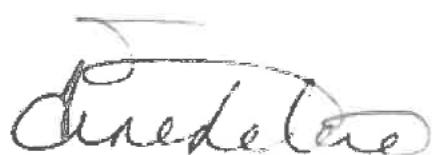
Conclusion/Recommendation

The proposal detailed on the application and plans submitted is not considered to be within the scope of Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, and Section 4(1)(h) of the Planning and Development Act 2000, as amended.

Regard has been had to –

- Section 2, 3 and 4 of the Planning and Development Act 2000, as amended.
- Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended.
- Sections 4(1)(h) and 4(1)(j) of the Planning and Development Act 2000, as amended.
- The plans & particulars submitted with the application received on the 19th February 2025 which do not contain sufficient detail of the proposed works.

It is therefore considered without the appropriate documentation the Planning Authority cannot assess whether the said works are exempted development or not under Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, and Section 4(1)(h) and 4(1)(j) of the Planning and Development Act 2000, as amended.



Aine Leland, Executive Planner

Date: 14/03/2025



Barry Henn, SEP

Date: 19/03/2025

Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
(a) File Reference No:	EC/021/25
(b) Brief description of the project or plan:	Section 5 Declaration on whether the conversion of an existing garage to a living space and the replacement of an existing garage door with a new window is or is not exempted development.
(c) Brief description of site characteristics:	The subject site is located at 17 Sullane Crescent, Raheen, Limerick. The dwelling is semi-detached with an existing garage attached to the side of the main dwelling.
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
(e) Response to consultation:	N/A

STEP 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.

European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
002165 - Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/002165	1.5km	None	N
004077 - River Shannon and River Fergus Estuaries SPA	https://www.npws.ie/protected-sites/sac/004077	2.1km	None	N

STEP 3: Assessment of Likely Significant Effects	
(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:	
Impacts:	Possible Significance of Impacts: (duration/Magnitude etc)

Construction phase e.g. <ul style="list-style-type: none">- Vegetation clearance- Demolition- Surface water runoff from soil excavation/infill/landscaping (including borrow pits)- Dust, noise, vibration- Lighting disturbance- Impact on groundwater/dewatering- Storage of excavated/construction materials- Access to site- Pests	None. The garage to be converted is already in place. Given the minor nature of the works proposed, it is not considered that the conversion works would impact on the objectives of the European Sites outlined above
Operation phase e.g. <ul style="list-style-type: none">- Direct emission to air and water- Surface water runoff containing contaminant or sediment- Lighting disturbance- Noise/vibration- Changes to water/groundwater due to drainage or abstraction- Presence of people, vehicles and activities- Physical presence of structures (e.g collision risk)- Potential for accidents or incidents	None. The garage conversion to a living space would not result in additional disturbances outside of that which currently exists. Operational phase will not have an effect on objectives of the European Sites.
In-combination/Other	N/A given the development proposed and the distance from European sites.

(b) Describe any likely changes to the European site: Examples of the type of changes to give consideration to include: <ul style="list-style-type: none">- Reduction or fragmentation of habitat area- Disturbance to QI species- Habitat or species fragmentation- Reduction or fragmentation in species density- Changes in key indicators of conservation status value (water or air quality etc)- Changes to areas of sensitivity or threats to QI- Interference with the key relationships that define the structure or ecological function of the site	None. No direct encroachment or hydrological connection.
---	--

(c) (Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?
--

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
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STEP 4: Screening Determination Statement

The assessment of significance of effects:

Describe how the proposed development (alone or in-combination is/is not likely to have significant effects on European site (s) in view of its conservation objectives

On the basis of the information submitted, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the intervening land uses and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

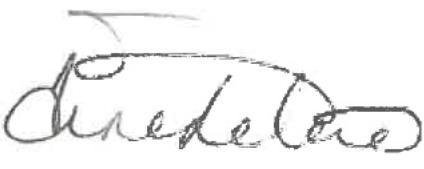
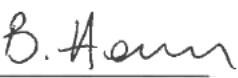
Conclusion: An appropriate assessment is not required.

	Tick as appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.
(ii) It is uncertain whether the proposal will have a significant effect on a European Site	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:	 Áine Leland 14/03/2025	
Signature and Date of the Decision Maker:	B. Henn 14/03/2025	

	Barry Henn, SEP
--	-----------------

Appendix 2 – EIA Screening

Establishing if the proposal is a 'sub-threshold development':		
Planning Register Reference:	EC/021/25	
Development Summary:	Section 5 Declaration on whether the conversion of an existing garage to a living space and the replacement of an existing garage door with a new window is or is not exempted development.	
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/>	Yes. no further action required
	<input checked="" type="checkbox"/>	No. Proceed to Part A
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1 , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)		
<input type="checkbox"/>	Yes. specify class: [insert here] _____	EIA is mandatory No Screening required
<input checked="" type="checkbox"/>	No	Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2 , of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)		
<input checked="" type="checkbox"/>	No. the development is not a project listed in Schedule 5, Part 2	No Screening required
<input type="checkbox"/>	Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): [specify class & threshold here] _____	EIA is mandatory No Screening required
<input type="checkbox"/>	Yes the project is of a type listed but is <i>sub-threshold</i> : [insert here] _____	Proceed to Part C
C. If Yes , has Schedule 7A information/screening report been submitted?		
<input type="checkbox"/>	Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
<input type="checkbox"/>	No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required

Signature and Date of Recommending Officer:	 Aine Leland 14/03/2025
Signature and Date of the Decision Maker:	 Barry Henn, SEP 14/03/2025



PLANNING & PLACE-MAKING

REG POST:

Owen Tarrant
17 Sullane Crescent
Raheen
Limerick
V94 RK7K

EC/021/25

19th March 2025

Re: Declaration under Section 5

Dear Sir/Madam,

I refer to the above application for Section 5 Declaration on Development and Exempted Development.

Please find herewith a copy of Council's decision on same.

Yours faithfully,

For Director of Services
Planning & Place-Making

LIMERICK CITY & COUNTY COUNCIL

APPROVED OFFICER'S ORDER

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

No. AOO/DC/2025/272

File Ref No. EC/021/25

SUBJECT: Declaration under Section 5.
Planning and Development Act 2000 as amended
Planning and Development Regulations 2001 as amended

RE: **The conversion of an existing garage to a living space and the replacement of an existing garage door with a new window at 17 Sullane Crescent, Raheen, Limerick, V94 RK7K**

ORDER: Whereas by Director General's Order No. DG/2024/123 dated 27th November 2024, Dr. Pat Daly, Director General, Limerick City & County Council did, pursuant to the powers conferred on him by Section 154 of the Local Government Act, 2001, (as amended by the Local Government Reform Act, 2014 and the Local Government (Mayor of Limerick) and Miscellaneous Provisions Act, 2024), delegate unto Barry Henn, Senior Executive Planner the functions as defined in the Local Government Acts, 1925 to 2024.

Now therefore pursuant to the delegation of the functions aforesaid, I, Barry Henn, Senior Executive Planner, having considered the report and recommendation of Aine Leland, Executive Planner dated 14/03/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Owen Tarrant, 17 Sullane Crescent, Raheen, Limerick, V94 RK7K to state that the works as described above is

Development and is NOT Exempt Development *bc*

Signed

B. Henn

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

19/03/2025

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/272 dated *19/03/25*, pursuant to Section 151(7) of the Local Government Act 2001

Signed:

B. Henn

SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING



SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/021/25

Name and Address of Applicant: Owen Tarrant, 17 Sullane Crescent, Raheen, Limerick, V94 RK7K

Agent: N/A

Whether the conversion of an existing garage to a living space and the replacement of an existing garage door with a new window at 17 Sullane Crescent, Raheen, Limerick, V94 RK7K is or is not Development or is or is not Exempted Development. The works as described on the plans submitted with the application on the 19th of February 2025.

AND WHEREAS the Planning Authority has concluded that the conversion of an existing garage to a living space and the replacement of an existing garage door with a new window at 17 Sullane Crescent, Raheen, Limerick, V94 RK7K **DOES NOT** come within the scope of exempted development as defined by Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) and Section 4(1)(h) and 4(1)(j) of the Planning and Development Act 2000 (as amended). See Report attached.

NOW THEREFORE the Planning Authority in exercise of the powers conferred on it by Section 5(2) (a) of the Planning and Development Act 2000 (as amended) hereby decides that the said development as described above **Development and is NOT Exempt Development.**

Signed on behalf of the said Council

Karen Conlon

Date: 19/03/2025

NOTE: A Declaration on Development or Exemption issued by Limerick City & County Council may be referred to An Bord Pleanála on payment of €220 for review within 4 weeks after the issuing of the declaration.